

Arizona Department of Real Estate (ADRE) Education Division

www.azre.gov

KATIE HOBBS GOVERNOR

SUSAN NICOLSON COMMISSIONER

100 North 15th Avenue, Suite 201, Phoenix, AZ 85007

FORM ED-101 for CERTIFICATE FOR INSTRUCTOR APPROVAL APPLICATION for ORIGINAL APPROVAL, RENEWAL, OR CHANGES TO APPROVED CATEGORIES

A real estate instructor ("Applicant" or "Instructor") applying for original approval, renewal or for additional category/subject area approval as an Arizona Department of Real Estate (ADRE) approved instructor must submit a completed ED-101, with any supporting documentation to substantiate qualifications for approval. For original or renewal, submit the <u>Disciplinary Actions Disclosure (LI-214/244 form)</u> and Proof of Legal Presence. (Forms available at <u>www.azre.gov</u>) The authorized administrator or owner of the primary sponsoring real estate school for the applicant MUST sign the completed ED-101 on original and renewal applications. The primary sponsor school must receive approval from the ADRE before an instructor may teach an Arizona real estate course for credit, and may request to add specific courses to teach by submitting a complete Expedited Instructor Approval form (ED-103).

A current ADRE instructor may teach for a secondary sponsor school, when approved by the ADRE for the category(ies) to be taught

by submitting a complete Expedited Instructor Approval form (ED-103) and the instructor has received ADRE approval. APPLICATION TYPE: ☐ ORIGINAL ☐ RENEWAL **CHANGE TYPE:** New Primary Sponsor School Initial Qualifications (SECTION 1) Add Pre-license Subject Area (SECTION 2) Add Instructor IDW (SECTION 3) Add Continuing Education Category (SECTION 4) Add Specific Special Subject Area (SECTION 5) Remove Category/Subject Area listed below: INSTRUCTOR INFORMATION Legal Name of Applicant: Date: Residence Address: City, State, Zip: Mailing Address: City, State, Zip: Telephone: Email: Real Estate License No.: Real Estate Instructor No.: Approval Exp Date: Exp Date: SPONSORING SCHOOL INFORMATION: ☐ PRIMARY SCHOOL (for Original Renewal/Changes) ☐ SECONDARY SCHOOL (for Changes) School's Legal or DBA Name: ADRE School Approval Number: Approval Exp. Date:

Questions regarding this communication can be sent to Chandni Bhakta, ADRE Ombudsman, at 602-771-7766 or online through the ADRE Message Center.

SECTION 1 - REAL ESTATE COURSE INSTRUCTOR QUALIFIER

Basis for applicant's qualifications as an ADRE approved real estate instructor shall include at least ONE of the qualifications from:

- SECTION 1A A.A.C. R4-28-404 (C); AND
- SECTION 1B for all original and renewal applicants, unless exempt
- SECTION 1C, as applicable

SECTION 1A:					
(Note: SECTION 1A is not required for currently approved instructors unless filing a change to qualifications as initially stated					
	in original application, pursuant to <u>A.A.C. R4-28-404(H)(1).</u>)				
1 .	Bachelor's or advanced degree in an area traditionally associated with real estate, such as business, law, economics, marketing, and finance. <u>A.A.C. R4-28-404(C)(1)</u>				
	Degree in: From: In:				
OR	Degree in: From: In: Year				
2 .	Award of a generally-recognized professional real estate designation AND , two (2) years of postsecondary education from an accredited institution. <u>A.A.C. R4-28-404(C)(2)</u>				
OR	(A) Active Designation Check ALL that apply: Other:				
3 .	Experience in real estate AND , a Bachelor's Degree (or higher) in education with a Valid Teaching Certificate issue within the preceding 15 years. (Attach Certificates) A.A.C. R4-28-404(C)(3)	d			
	 □ (A) Detailed résumé substantiating real estate experience □ (B) Bachelor's Degree (or higher) earned in education: 				
	Degree in From: In: In: Year				
	(C) Valid Teaching Certificate:				
	From: State: Cert. No.:				
OR	Type/Level of Teaching Certificate: Date Awarded:				

SECTION	1A - Continued		
4 .	Active Arizona Real Estate Salesperson's license or Arizona Real Estate Broker's license AND , Employee or former employee of a regulatory agency. <u>A.A.C. R4-28-404(C)(4)</u>		
	☐ (A) Salesperson OR Broker ☐ Salesperson License No.: ☐ Broker License No.: AND		
OR	□ (B) Employee or former employee of a regulatory agency. Name of a Regulatory Agency where employed (current or past): City/State: Position(s) Held: Starting/Ending Date:		
5 .	Distinguished Real Estate Instructor (DREI) designation by the Real Estate Educators Association, with credentials in the specific subject category and topic. A.A.C. R4-28-404(C)(5)		
OR	□ (A) Date DREI awarded:		
6.	At least three (3) years of real estate OR specific experience in the subject category and topic. <u>A.A.C.</u> <u>R4-28-404(C)(6)</u>		
OR	Detailed résumé attached supports real estate experience or specific subject category experience per requirements.		
7.	Other education OR experience determined by the Commissioner to qualify as an instructor. Attach specific written justification and supporting documentation for consideration. <u>A.A.C. R4-28-404(C)(7)</u>		
	☐ Specific written justification and supporting documentation attached for consideration?		
SECTION	1B		
8.	Applicants must provide a certificate proving attendance at a seminar or workshop of at least three (3) hours approved by the ADRE, emphasizing instruction methods, techniques and skills within the previous twenty-four (24) months. (Attach Certificates) A.R.S. §32-2135(L)		
	*Panelists, guest speakers, attorneys, and out-of-state instructors are not considered instructor applicants pursuant to <u>A.R.S. §32-2135(L)</u> .		
	☐ Yes - ADRE Course No.: Completion Date: No - Please explain:		
	Certificate(s) Attached.		

SECTION 2 - 90 HOUR PRE-LICENSE CATEGORY AND SUBJECT AREA QUALIFIERS

A.R.S. §32-2124(B)&(C), R4-28-401, and S.P.S. 2022.01

In order to teach either broker or salesperson pre-licensing, original and renewal applicants must possess education and experience demonstrating competence in the category(ies) and subject area(s) for which they are applying. Below, indicate the categories or subject areas in which the qualification criteria has been met, can be substantiated and for which the applicant is applying. You must attach a résumé and it must show specific experience and expertise proving knowledge of the specific categories or subject areas. Attach copies of all relevant course completion certificate(s).

PRE-LICENSE BRO	PRE-L	PRE-LICENSE SALESPERSON COURSE			
 (A) Active Arizona Real Estate Broker License, in good standing to be considered for approval to teach any Pre-license Education. (B) Attendance at a minimum of two 3-hour ADRE approved continuing education courses (live classroom or distance learning) in the following categories and subjects within the 48 months prior to application or renewal: 					
Category/Subject:	ADRE	Course No. & Date	ADRE	Course No. & Date	
Agency Law		Date:			
Contract Law	Course:	Date:	Course:	Date:	
Commissioner's Standards	Course:	Date:	Course:	Date:	
Real Estate Legal Issues	Course:	Date:	Course:	Date:	
Fair Housing	Course:	Date:	Course:	Date:	
Disclosure	Course:	Date:	Course:	Date:	
General Real Estate	Course:	Date:	Course:	Date:	
Broker Management Clinic #1	Course:	Date:	Course:	Date:	
Broker Management Clinic #2	Course:	Date:	Course:	Date: Date:	
Broker Management Clinic #3	Course:	Date:	Course:	Date:	
IDW INSTRUCTOR QUALIFICATION REQUIREMENTS FOR INSTRUCTOR TRAINING: If teaching Pre-Licensing, attendance at an ADRE approved Instructor Development Workshop (IDW), specific to Broker Pre-Licensing content or Salesperson Pre-licensing content, whichever the instructor intends to teach. Completion must be after January 2019. (Attach Certificates) Course Number(s): Date(s):					
SECTION 3 - SKILLS INSTRUCTOR DEVELOPMENT WORKSHOP (IDW) QUALIFIER A.R.S. § 32-2135(L)					
To teach a Skills IDW, an applicant must prove attendance at ADRE-approved IDW courses totaling at least 6 hours within the 24 months immediately preceding the date of application. The courses must emphasize the instruction methods, techniques, and skills required to instruct IDW courses. (Attach Certificates)					
Course Number:	Date: Date:				
Attachment - submit supporting written explanation and documentation, as applicable, to demonstrate qualification as it applies.					

SECTION 4 - CONTINUING EDUCATION CATEGORY QUALIFIERS

A.A.C. R4-28-402 (A)(5)(a-h)

In Column A, check appropriate box(es) to add or renew the desired category (in gray). By marking the category and indicating subject areas, the applicant is attesting that they possess the required professional experience/expertise.

In Column B, list the course information below to verify attendance at a minimum of two separate 3-hour ADRE approved courses within the selected category (in Column A) within the 48 months prior to application or renewal.

Important for Instructor Renewals: If the applicant is currently approved and only renewing, only select those specific categories below and complete part (B) and only in the specific category and subject areas for renewal. **Attach copies of all relevant course completion certificate(s).**

(A) CAT	EGORY	7.	(B) CONTINUING INSTRUCTOR EDUCATION COURSE INFORMATION
	AGEN	CY LAW - Subject area of expertise includes:	
☐ Yes	☐ No	Agency Relationships	ADRE Course No.:
☐ Yes	☐ No	Agency Disclosures	Date:
☐ Yes	☐ No	Additional or advanced training on Agency topics within two years preceding application or have two years of work experience that led to having expanded knowledge regarding Agency	AND ADRE Course No.: Date:
Expla	ain Advai	nced Agency Training/Work Experience relating to Agency:Date:	
	CONTI	RACT LAW - Subject area of expertise includes:	
☐ Yes	☐ No	Various contract forms and clauses, fundamentals, updates, options, offers, counter-offers, first right of refusal, and exchanges	
☐ Yes	☐ No	Contract Writing - Actual Participation	ADRE Course No.: Date:
☐ Yes	☐ No	Required disclosures, problem-solving, and law and rule requirements	AND
☐ Yes	☐ No	Recent court decisions and case law studies	ADRE Course No.:
☐ Yes	☐ No	Breach of contract issues	Date:
☐ Yes	☐ No	Legal, ethical, and agency considerations, procedures, and disclosures	
☐ Yes	☐ No	Accommodating current financing procedures, requirements, and options	
		IISSIONER'S STANDARDS - Subject area includes experience/expertise ates to license laws	
Yes	☐ No	Article 26 of the Arizona Constitution	ADRE Course No.:
☐ Yes	☐ No	A.R.S. Title 32, Chapter 20, and A.A.C. Title 4, Chapter 28, which includes trust accounts, recordkeeping, license requirements, exemptions to licensure, commission payments, recovery fund provisions, development requirements, processes for public reports for and sale of subdivided and un-subdivided land, membership campgrounds and time-shares, cemetery regulations, and grounds for disciplinary actions and hearings	Date: AND ADRE Course No.: Date:
☐ Yes	☐ No	Additional or advanced training on Agency topics within two years preceding application or have two years of work experience that led to having expanded knowledge regarding Agency	

SECTION 4 - Continued				
(A) CAT	EGORY		(B) CONTINUING INSTRUCTOR EDUCATION COURSE INFORMATION	
		ESTATE LEGAL ISSUES - Subject area includes experience / expertise in real estate law		
☐ Yes	☐ No	Sources of real estate law (constitutions, statutes, zoning, common), and the legal system		
☐ Yes	☐ No	Land and its elements (air, mineral rights, real and personal property)		
☐ Yes	☐ No	Land, title, and interests in land, homestead, encumbrances, and the Landlord and Tenant Act		
☐ Yes	☐ No	Easements, fixtures, land descriptions, ownership, deeds, and building restrictions	ADRE Course No.: Date:	
☐ Yes	☐ No	Escrow procedures, financing documents, and lending laws and regulations, including Regulation Z	AND	
☐ Yes	☐ No	Wills and estates, taxes, bankruptcy law, securities laws, title insurance, and appraisal law	ADRE Course No.: Date:	
☐ Yes	☐ No	Case law studies, real estate fraud, disclosure law, interstate and international real estate		
Yes Yes	☐ No	Commission issues and forms of business ownership		
☐ Yes	☐ No	Homeowners Association regulations		
☐ Yes	☐ No	Real Estate Settlement Procedures Act (RESPA)		
☐ Yes	☐ No	Environmental Issues		
	FAIR I	IOUSING - Subject area includes experience/expertise in equal opportunities ing		
☐ Yes	☐ No	Americans with Disabilities Act, ADA architectural designs (construction and development) and pertinent court cases		
☐ Yes	☐ No	Arizona and federal fair housing laws, including advertising, marketing, information, and enforcement		
☐ Yes	☐ No	Housing developments	ADRE Course No.: Date:	
☐ Yes	☐ No	Deed restrictions	AND	
☐ Yes	☐ No	Affordable housing	ADRE Course No.: Date:	
☐ Yes	☐ No	Elder housing	<u> </u>	
☐ Yes	☐ No	Zoning, local ordinances, and disclosures		
☐ Yes	☐ No	Commercial and residential concerns		
☐ Yes	☐ No	Administrative procedures and business practices		

SECTION 4 - Continued				
(A) CATEGOR	Y	(B) CONTINUING INSTRUCTOR EDUCATION COURSE INFORMATION		
□ DISC	LOSURE - Subject area includes experience / expertise in disclosure			
Yes No	Licensee's disclosure obligations to client and others			
Yes No	Seller's and buyer's disclosure obligations to each other			
Yes No	Common material facts warranting disclosure, and liability for failure to disclose	ADRE Course No.: Date:		
Yes No	Avoiding inadvertent non-disclosures	AND		
Yes No	Transaction documents that should be reviewed	ADRE Course No.: Date:		
Yes No	Common "red flags" in a real estate transaction			
Yes No	Homeowner associations and buyers' obligations to homeowner associations; and			
Yes No	Advising buyers and sellers of common "red flags"			
GENERAL REAL ESTATE - Subject area includes experience/expertise in real estate				
Yes No	Appraisal methodology	ADRE Course No.: Date:		
Yes No	General finance, use of financial calculators, mathematics, and managing cash flow	AND		
Yes No	History of development in metropolitan areas; and	ADRE Course No.: Date:		
Yes No	Introduction to property management			

SECTION 5 - SPECIAL SPECIFIC SUBJECT AREA COURSE CATEGORY QUALIFIER

The following qualification must be met, in addition to qualifying as an ADRE approved instructor per requirements in SECTIONS (1) and (4).

ECTION 5A					
ATEGORY		(2) REQUIRED LICENSURE	(3) CONTINUING INSTRUCTOR EDUCATION		
eck appropriate box(es) below to add or renew the desired category (in gray) and attest to the specific category subject areas that represent the applicant's ofessional experience/expertise. **Portant: For Instructor renewal in currently approved categories or subject as, only select category (in gray) below and complete part (2) and (3) as it		Active Arizona Broker License No.: (Required to deliver BMC & Contract Writing)	List course information below to verify attendance at at least four separate 3-hour ADRE approved courses in contract law for Contract Writing subject area within 48 months prior to application/renewal (no more than 6 of the hours may be distance learning); OR attendance at a minimum of two three-hour in classroom ADRE approved courses in selected Broker Management Clinic courses within the past 48 months prior to application /renewal:		
	subject area for renewal.	67	past 48 months prior to application /renewar.		
	SE 6 HOUR CONTRACT WRITING - A.R.S § experience/expertise must include:	(32-2124 (L)			
Yes No	Actual participation in drafting contracts to purch	ase real property			
Yes No	Listing agreements				
Yes No	Lease agreements				
	TRACT LAW ect area experience/expertise must include:				
Yes No	Various contract forms and clauses, fundamentals offers, counter offers, first right of refusal, and ex		ADRE Course No.:		
Yes No			Date: AND ADRE Course No.:		
Yes No					
Yes No	Breach of contract issues		Date:		
Yes No	Legal, ethical and agency considerations, procedu	res, and disclosures	AND		
Yes No	Accommodating current financing procedures, recoptions	quirements, and	ADRE Course No.: Date:		
_	L ESTATE LEGAL ISSUES ect area experience/expertise must include:		AND ADRE Course No.:		
Yes No	Sources of real estate law (constitutions, statutes, and the legal system	zoning, common),	Date:		
Yes No	Land and its elements (air, mineral rights, real and	l personal property)			
Yes No	Land, title, and interests in land, homestead, encu	mbrances			
Yes No	Landlord and Tenant Act				
Yes No	Easements, fixtures, land descriptions, ownership restrictions	, deeds, and building			
Yes No	Escrow procedures, financing documents, and len regulations, including Regulation Z	ding laws and			

SECTION 5A - Continued				
(1) CA	(1) CATEGORY			(3) CONTINUING INSTRUCTOR EDUCATION
	Yes	☐ No	Wills and estates, taxes, bankruptcy law, securities laws, title insurance, and appraisal law	
	Yes	☐ No	Case law studies, real estate fraud, disclosure law, interstate and international real estate	
	Yes	☐ No	Commission issues and forms of business ownership	
	☐ Yes	☐ No	Homeowners Association regulations	(Continued from Page 8)
	☐ Yes	☐ No	Real Estate Settlement Procedures Act (RESPA)	
	Yes	☐ No	Environmental issues	
	Yes	☐ No	Property Management	

SECTION 5B					
1) CATEGORY	(3) CONTINUING INSTRUCTOR EDUCATION				
☐ Broker Management Clinic #1 (BMC #1) - STATUTES AND RULES - A.R.S. § 32-2136 (A) Subject area experience/expertise must include:					
Yes Does the applicant attest that they have demonstrated the subject matter experience/expertise in EACH of the categories listed below?					
Record keeping requirements					
Trust fund accounts	ADRE Course No.: Date:				
Advertising and promotions	AND				
Employment agreements	ADRE Course No.:				
• Contracts	Date:				
Fiduciary duties					
Material disclosures					
Department investigations					
Department audits					
Broker Management Clinic #2 (BMC #2) - BROKER POLICIES - A.R.S. § 32-2136 (A) Subject area experience/expertise must include:					
Yes Does the applicant attest that they have demonstrated the subject matter experience/expertise in EACH of the categories listed below?	ADRE Course No.: Date:				
Broker policy development	AND ADRE Course No.:				
• Establishment of broker policies (A.A.C. R4-28-1103)					
Practical application enforcing policies	Date:				
 Emphasis on those policies which ADRE has identified as common complaints/violations to avoid 					
Broker Management Clinic #3 (BMC #3) - SUPERVISION - A.R.S. § 32-2136 (A) Subject area experience/expertise must include:	ADRE Course No.:				
Yes No Does the applicant attest that they have demonstrated the subject matter experience/expertise in EACH of the categories listed below?	Date: AND				
Broker risk management ADRE Course No.:					
Broker supervision Date:					
Broker Responsibilities/legal obligations					

SECTION 6 - ADDITIONAL REQUIRED DOCUMENTS AND ATTESTATIONS

Attach additional required documents.

School Approval Number:	o. Date:					
Owner/Administrator Signature:						
 As the School Owner/Administrator I have reviewed the instructor applicant's credential, resume, experience and subject matter expertise qualifications, and to the best of my knowledge and belief, the instructor applicant is qualified to teach the specific categories and subject areas applied for. I have reviewed the statutory and rule requirements for a Real Estate Instructor. A.R.S. Title 32, Chapter 20, and A.A.C. Title 4, Chapter 28. Owner/Administrator Name (Print):						
SPONSORING SCHOOL OWNER/ADMINISTRATOR ATTESTATION						
Instruction//appricant s organiture.						
Instructor/Applicant's Name:		Date:				
 Instructor/APPLICANT ATTESTATION By signing, I attest that: I have reviewed the statutory and rule requirements for a Real Estate Instructor. A.R.S. Title 32, Chapter 20, and A.A.C. Title 4. Chapter 28. I will provide written notice to the Department within 10 days of any change in my application information or qualifications as required under A.A.C. R4-28-404 and R4-28-301. I will abide by the provisions of the Real Estate Law and certify that at the time of the issuance of license I will be 18 years of age or older. I will administer/distribute on behalf of school/administrator (as authorized), real estate credit only to students who have attended and completed real estate courses for which approval has been issued to the presenting school by the Department, and only for the credit hours and specific category of credit approved. Improper certification is grounds for suspension or withdrawal(revocation) of school certification and instructor approval and may affect other licenses issued to me or issued to companies that I own, or over which I exercise control. A.R.S. 32-2135 and 32-2153. I am aware that the Commissioner may investigate the actions of the School and any school owner, administrator, director and instructor acting on behalf of the School, and may at any reasonable time examine the books and records of the School used in connection with offering courses for real estate credit. I will allow for and accommodate the Department's representative, or employee, to audit or monitor any real estate course that has been approved or for which approval is pending. The information and statements I have provided in this application and attachments are true and correct to the best of my knowledge and belief. I understand that any misrepresentation, or willful omission, in this application or in any attachments hereto may result in suspension or withdrawal (revocation) of my approval at any time. I						
☐ PROOF OF LEGAL PRESENCE AS REQUIRED BY A.R.S. 41-1080						
☐ DISCIPLINARY ACTION DISCLOSURE (LI-214/244) (Note: Required for Attachment - Disciplinary Actions Disclosure (LI-214/244 Form) must be co "yes" on LI-214/244 form, supporting documents listed in the Disclosure Do provided. Forms available at www.azre.gov .	mpleted, signe	ed and attached. If answering				
additional category or subject area)	Attachment - Résumé attached must support qualifying experience and expertise for specific categories and subject areas					

Notice to Applicant Pursuant to A.R.S. § 41-1030

An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

This section may be enforced in a private civil action and relief may be awarded against the State. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against the state for a violation of this section.

A State employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the Agency's adopted personnel policy.

This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02

Notice to Applicant Pursuant to A.R.S. § 41-1030

An agency shall limit all occupational regulations to regulations that are demonstrated to be necessary to specifically fulfill a public health, safety or welfare concern. Pursuant to sections 41-1093.02 and 41-1093.03. Arizona Revised statutes, you have the right to petition this agency to repeal or modify the occupational regulation or bring an action in a court of general jurisdiction to challenge the occupational regulation and to ensure compliance with section 41-1093.01, Arizona Revised Statutes.